

U.S. DEPARTMENT OF LABOR Employment and Training Administration Washington, D.C. 20213	CLASSIFICATION
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DIRECTIVE : UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 20-84

TO : ALL STATE EMPLOYMENT SECURITY AGENCIES

FROM : BERT LEWIS *Bert Lewis*
 Administrator
 for Regional Management

SUBJECT : Use of DD Form 214 Information to Support UCX Entitlement

1. Purpose. To provide information on the issuance of DD Forms 214 and its need to support UCX entitlement.
2. Reference. UCX Handbook (ET Handbook 384) and UIPL 9-84.
3. Background. At the time a person is separated from the Armed Forces, he/she is given a DD Form 214, Certificate of Release or Discharge from Active Duty, identified as copy 1. This copy does not show the person's "Character of Service" and other special additional information needed to support a claim for UCX benefits. Veterans are encouraged by the military service to request a copy 4 of their DD Form 214, since it is needed to request VA and/or UCX benefits. However, not all veterans make this request. If they request copy 4, item 30 of the DD Form 214 will be initialed to this effect. Facsimiles of copy 1 and copy 4 of the DD Form 214 are shown in Chapter IV of UCX Handbook.

When an ex-service member is separated from the military service, a copy 5 of the DD Form 214 is sent to the Claims Control Center, Baton Rouge, Louisiana, by the military separation station shown in Item 8 of the DD Form 214. Copy 5 contains all information needed to support UCX entitlement, which may be used in lieu of copy 4.

Information on copy 5 may be used to validate the authenticity of items shown on the copy 4 presented by the UCX claimant. For example, the copy 4 presented by the claimant may show he/she was separated "Under Honorable Conditions," but copy 5 may show "other than honorable."

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When a claimant presents a copy 4 and the Claims Control Center has not received a copy 5, there is a serious question on whether the person had been in the military service and if the DD Form 214 is fraudulent. However, in making such a determination, the SESA should recognize that there are reasons for the control center not having a copy 5 of a person's DD Form 214, such as:

- a. The military separation station may have overlooked sending a copy 5 to the control center.
- b. Copy 5 may have been misdirected or lost in the mail.
- c. The separation station may have delayed sending copy 5 to the control center. Actually, in about 95 percent of the instances that a UCX claimant presents a copy 4 of his/her DD Form 214, the control center will have received a copy 5.

4. Instructions. When a veteran applies for UCX benefits, he/she is asked to present copy 4 of his/her DD Form 214, in order to support the UCX claim. (Refer to Section 6, Chapter II of UCX Handbook.)

a. If the claimant says he/she lost the DD Form 214 or was not issued one, the SESA should inform the claimant that while it is his/her responsibility to obtain a copy 4, the SESA will try to help by requesting the required DD Form 214 information from the Claim Control Center, Baton Rouge, Louisiana. If the control center has no record of his/her military service, the SESA may further help the person to obtain a copy 4 by use of Form ETA 8-43, Request for Military Documents, as instructed by Chapter IV of the UCX Handbook.

When the SESA shows on its UCX inquiry that the claimant did not present the copy 4 of DD Form 214, the control center is programed to supply the SESA with a copy of the person's DD Form 214, when Item 28 on the form is needed, if the control center has received copy 5 of DD Form 214.

For the quarter ending September 30, 1983, there were 1280 instances in which the claimant presented no DD Form 214, but there were 1122 instances (87.7 percent) in which DD Form 214 information was furnished by the control center.

b. If the UCX claimant presents a copy 4, the SESA should complete a Form ES-970, Request for UCX Determination, and if appropriate, immediately determine UCX entitlement and pay benefits. Also, the SESA will send to the Claims Control Center a UCX inquiry for the claimant, as instructed by Section 9, Chapter II of the UCX Handbook.

If the control center informs a SESA that it can not verify the information shown on the claimant's DD Form 214, since it has not received copy 5, the SESA will send a legible reproduced copy of the person's DD Form 214 to the control center. The center will use this copy to follow-up with the appropriate branch of the armed forces. The control center will, if possible, obtain a copy 5 (or equivalent information) from the armed forces, in order to verify the ex-service member's DD Form 214.

If the DD Form 214 can not be verified by information supplied by the Armed Forces 45 days after the SESA sent a reproduced copy to the control center, the SESA will stop its follow-up with the control center. It will be the SESA's responsibility to determine, to the extent possible, whether the ex-service member had in fact presented a "legitimate DD Form 214," as outlined in Section 5 and 11a, Chapter II of the UCX Handbook.

c. It will be the SESA's responsibility to resolve differences in DD Form 214 information received from the Claims Control Center and the DD Form 214 information furnished by the claimant. In some instances, these differences may not have any material consequences on the UCX claim or benefit payments. Such differences may be resolved by techniques outlined in Section 9 of Chapter VI of the UCX Handbook.

When there is an obvious material difference, the SESA should promptly request from the control center that the DD Form 214 information that it received from the center be verified against the information shown on copy 5 received by the center. If material differences remain, it is the SESA's responsibility to request verification of "questioned items" from the appropriate branch of the military service by use of Form ETA 8-43. If the material differences remain after a reply from the military service, the possibility of the incident of fraudulent claiming should be considered. (Refer to Chapter XXI of the UCX Handbook.)

5. Action Required. SESAs are requested to provide the above instructions to appropriate staff members.

6. Inquiries. Direct inquiries to the appropriate Regional Office.